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10/669,119	09/22/2003	James D. Kelly	18602-08098 (P2080R1C1)	8760
61520	7590	06/19/2009	EXAMINER	
APPLE/FENWICK SILICON VALLEY CENTER 801 CALIFORNIA STREET MOUNTAIN VIEW, CA 94041			AUVE, GLENN ALLEN	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte Robert James D. Kelly & Michael L. Regal


Appeal No. 2009-006496
Application No. 10/669,119

Response to Request to Consolidate Appeals

On June 11, 2009, appellant filed a "Request to Consolidate Appeals" identifying two pending appeals that appellant states deal with substantially the same issue of law. Appellant requests that appeal no. 2009-6496, involving reissue application no. 10/669,119 be consolidated with Appeal No. 2009-7162, involving reissue application no. 11/503,541, or at least that the same panel of judges decides both appeals. An oral hearing before a merits panel of the Board of Patent Appeals and Interferences has been set for July 8, 2009, for Appeal No. 2009-7162, involving reissue application no. 11/503,541.

The Request to Consolidate Appeals will be given due consideration, taken in conjunction with balancing the needs and efficiencies of the Board of Appeals and Interferences. It is appreciated that in each appeal brief, appellant identified the other reissue application in the "Related appeals and interferences" section of the brief, so that the Board is aware of the related appeals cases.

BOARD OF PATENT APPEALS
AND INTERFERENCES



for Roger L. Williams
Administrative Officer
(571) 272-9797

Sabra-Anne R. Truesdale
Fenwick & West, LLP
801 California Street
Mountain View, CA 94041

Fax Date: June 18, 2009
Fax No. (650) 938-5200